Board decision on the Validation of Colombia

Номер решения: 2018-38/BM-40
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Решение Правления

Following the conclusion of Colombia’s Validation, the EITI Board decided that Colombia has made satisfactory progress overall in implementing the EITI Standard.

The Board congratulated the Government of Colombia and Multi-Stakeholder Group (MSG) on the progress made in improving transparency and accountability in the extractive industries by providing a trusted source of data to inform public debate. The Board welcomed the EITI’s impact in establishing a mechanism for discussing revenue transparency, the sector’s contribution to the economy and the challenges in revenue distribution, social contributions, environmental regulation and illegal mining. The EITI has produced and compiled information in a regularly-updated online platform bringing together previously-scattered data and investigating poorly-understood issues. In its three years of EITI implementation, Colombia has expanded the scope of EITI reporting to include a wide range of areas from mineral transportation to environmental regulation. The EITI has shed light on current government agencies’ regulatory practices, gaps in government systems, and on complex issues such as the distribution and allocation of royalties. This work has informed reforms in government agencies including the mining and hydrocarbon regulators. EITI Colombia is well-placed to continue contributing to improved governance of the extractive sector. Opportunities and challenges include monitoring reforms such as strengthening licensing management, including through beneficial ownership disclosures, improving engagement at the regional and community levels, coordinating efforts in expanding transparency across government agencies, contributing to curbing illegal mining and improving compliance with environmental regulations. In addressing these challenges and seizing these opportunities, sustained engagement from all constituencies, including in the use of EITI data, and adequate resources for EITI implementation will be key.

In accordance with requirement 8.3.d.i, the Board has determined that Colombia will have three years, i.e. until 29 June 2021, before a re-Validation under the EITI Standard.

The Board’s decision followed a Validation that commenced on 1 January 2018. In accordance with the 2016 EITI Standard, an initial assessment was prepared by the International Secretariat. The findings were reviewed by an Independent Validator, who submitted a draft Validation report to the MSG for comment. The MSG’s comments on the report were taken into consideration by the independent Validator in finalising the Validation report and the independent Validator responded to the MSG’s comments. The final decision was taken by the EITI Board.

Общая информация

The Government of Colombia committed to implement the EITI in May 2013 at the 6th EITI Global Conference in Sydney. A multi-stakeholder group was formed in December 2013. Colombia submitted an EITI Candidature application in July 2014 and was admitted as an EITI Candidate country in October 2014 at the Board’s 28th meeting in Naypyidaw.

The Validation process commenced on 1 January 2018. In accordance with the Validation procedures, an initial assessment [English | Spanish] was prepared by the International Secretariat. The Independent Validator reviewed the findings and wrote a draft Validation report assessment [English | Spanish]. Comments from the MSG were received on 11 June 2018 [English: parts 1, 2, 3 | Spanish: parts 1, 2, 3]. The Independent Validator reviewed the comments and responded to the MSG, before finalising the Validation report [English | French | Spanish].
The Validation Committee reviewed the case on 6 June and 28 June 2018. Based on the findings above, the Validation Committee agreed to recommend the assessment card and corrective actions outlined below.

The Committee also agreed to recommend an overall assessment of “satisfactory progress” in implementing the 2016 EITI Standard. Requirement 8.3.b. of the EITI Standard states that:

**b) Consequences of compliance**

Where Validation verifies that a country has made satisfactory progress on all of the requirements, the EITI Board will designate that country as EITI Compliant.

EITI Compliant countries must maintain adherence to the EITI Principles and Requirements in order to retain Compliant status. Where a country has become EITI Compliant, but concerns are raised about whether its implementation of the EITI has subsequently fallen below the required standard, the EITI Board reserves the right to require the country to undergo a new Validation. Stakeholders may petition the EITI Board if they consider that Compliant status should be reviewed. This request may be mediated through a stakeholder’s constituency representative(s) on the EITI Board. The EITI Board will review the situation and exercise its discretion as to whether to require an earlier Validation or Secretariat Review. Subject to the findings of that assessment, the EITI Board will determine the country’s status.

Where a Compliant country is being re-validated and validation concludes that the country has not met all EITI requirements, the consequences set out in (c) below apply.

The Validation Committee agreed to recommend a period of three years before Colombia’s re-Validation under the EITI Standard, in line with Requirement 8.3.d.i, which states:

**d) Timeframes for achieving compliance.**

(i) EITI Candidate countries are required to commence the first Validation within two and a half years of becoming an EITI Candidate. EITI Compliant countries are required to be re-validated every three years. In accordance with provision 8.5, a country may request an extension of this timeframe. A country may also request to commence Validation earlier than scheduled by the EITI Board.

### Карта оценки

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### Требования ИПДО

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Colombia is first country in the Americas to reach the highest level of progress in implementing the EITI Standard

*EITI-Colombia has published verified revenue information, shone a light on revenue distribution to regions and started to tackle challenges in environmental regulations.*

Colombia was assessed today as the first country in the Americas to meet all the requirements of the EITI Standard. The EITI Board reached that decision in its meeting in Berlin today. The Board found that Colombia had demonstrated satisfactory progress in all requirements of the EITI Standard.

Fredrik Reinfeldt, Chair of the EITI, said:

“Colombia has made rapid strides in making its extractive sector more transparent. I congratulate all stakeholders on making the EITI a tool to build trust in a post-conflict...
Colombia. We particularly applaud the launch of the user-friendly online platform to collect and share information on the extractives sector.”

Carlos Cante, Vice-Minister of Mines, EITI Champion and member of the Board, commented:

“We are leading a worldwide recognized commitment to transparency, good governance and good practices. This creates a good investment climate for foreign investment in a key sector for the national economy. This government has secured funding together with international partners for USD 2.5 million for the next four years for the EITI”

Colombia began implementing the EITI in October 2014 shortly after reaching the milestone of producing 1 million barrels of oil a day. This raised the question of whether the new revenue might help end the decades of violent conflict.

EITI-Colombia has published three EITI Reports covering revenues from 2013 to 2016. These provide extensive information on the hydrocarbon and mining sector including mining licensing systems, revenue distribution, subnational revenue, and environmental regulations. Ecopetrol has participated in the EITI process and has committed to deepening its transparency practices.

It has identified a number of areas to ensure growth in the sector translates to sustainable development and peacebuilding.

Moving ahead

Colombia is committed to put in place a national framework for disclosing beneficial ownership information. While proposed legislation is stalled, EITI-Colombia has been working to make sure that this information for the extractive sector is available by 2020.

Stakeholders agree that the EITI should play a coordinating role in reaching out to extractive communities. With the imminent elections, new authorities will find an established EITI process with plenty of opportunities to furthering good governance of its minerals wealth.

Scorecard

Notes

- Validation is the EITI’s independent evaluation mechanism. It assesses countries against progress made in meeting the 2016 Standard.
- See here for a full explanation of the various levels of progress under the EITI Standard.
- See the interactive scorecard for Colombia here.
- The decision in full: 2018-38/BM-40/BP-40-6-A
- The documentation of Colombia’s Validation can be found here.
• For further information about the EITI in Colombia, please visit the country page on the EITI website.